

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARCIASCHORR,

Plaintiff,

-v-

AMERICAN ARBITRATION ASSOCIATION & THE
INTERNATIONAL CENTRE FOR DISPUTE
RESOLUTION,

Defendants.

21 Civ. 5569 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On July 1, 2021, defendant filed a motion to dismiss the complaint under Rule 12 of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by July 22, 2021. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by August 12, 2021, defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by July 22, 2021. Defendants' reply, if any, shall be served by August 5, 2021.

¹ If defendants file a new motion to dismiss or rely on their previous motion, plaintiff's opposition will be due 14 days thereafter, and defendants' reply, if any, will be due seven days after that.

SO ORDERED.

Paul A. Engelmayer

PAUL A. ENGELMAYER
United States District Judge

Dated: July 2, 2021
New York, New York